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6 United States of America

7 IN THE UNITED STATES DISTRICT COURT  
8 EASTERN DISTRICT OF CALIFORNIA

9 UNITED STATES OF AMERICA,  
10

11 Plaintiff,

12 v.

13 ARSEN TONoyAN,

14 Defendant.  
15

CASE NO. 1:22-CR-00085-JLT-SKO

**STIPULATION TO CONTINUE CHANGE OF  
PLEA HEARING, VACATE TRIAL DATE, AND  
ORDER THEREON**

16 **STIPULATION**

17 Plaintiff United States of America, by and through its counsel of record, and defendant, by and  
18 through defendant's counsel of record, hereby stipulate as follows:

19 1. On March 24, 2022, a grand jury indicted the defendant for violations under 18 U.S.C.  
20 111(a)(1) and (b) – assault on federal officer or employee which inflicts bodily injury. [ECF 1.]

21 2. On October 12, 2023, the parties stipulated to set a trial date on June 18, 2024, and to  
22 exclude time. The Court issued an order setting the trial date and excluding time to June 18, 2024. [ECF  
23 37.]

24 3. In May 2024, the parties discussed a pre-trial resolution of the case and informed the Court  
25 of the defendant's intent to plead guilty. On May 2, 2024, the Court set a Change of Plea Hearing on June  
26 3, 2024. [ECF 38.] The parties filed a signed plea agreement on May 21, 2024. [ECF 39.]

27 4. On June 3, 2024, during the change of plea hearing, the Court continued the hearing to  
28 June 17, 2024, to provide defendant adequate time to discuss the plea agreement with his attorney.

5. Now, the parties have agreed to proceed with the change of plea hearing on June 17, 2024, and to vacate the June 18, 2024, trial date.

6. The parties agree that time has already been excluded by the Court's October 12, 2023, order until June 18, 2024, pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and 3161 (h)(7)(B)(i)(ii) and (iv) because it results from a continuance granted by the Court at the parties' request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

7.

IT IS SO STIPULATED.

Dated: June 4, 2024

PHILLIP A. TALBERT  
United States Attorney

By: /s/ Cody Chapple  
JOSPEH D. BARTON  
CODY S. CHAPPLE  
Assistant United States Attorney

Dated: June 4, 2024

/s/ Melissa Baloian  
MELISSA BALOIAN  
Attorney for Defendant  
ARSEN TONOVAN

**ORDER**

IT IS HEREBY ORDERED that the trial date set for June 18, 2024, is vacated. The Change of Plea hearing set for June 17, 2024, remains set. The period from June 3, 2024, through June 18, 2024, shall be excluded pursuant to Fed. R. Crim. P. 17.1; 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(i)(ii) and (iv) by prior stipulation of the parties and order on October 12, 2023.

IT IS SO ORDERED.

Dated: **June 4, 2024**

  
UNITED STATES DISTRICT JUDGE